

*Buchwald, J*

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

IN THE MATTER OF THE COMPLAINT

of

SPIRIT CRUISES, LLC,

Petitioner.

USDC SDNY  
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ELECTRONICALLY FILED  
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DATE FILED: 11/23/10

Case No. 10 Civ. 2427 (NRB)

**STIPULATION AND ORDER OF DISMISSAL**

Spirit Cruises, LLC and Chelsea Piers L.P., Chelsea Piers Management, Inc., and Hudson River Park Trust, by counsel, pursuant to Rules 41(a)(1)(A)(ii) and 41.c. of the Federal Rules of Civil Procedure, hereby stipulate to the dismissal of their claims and counterclaims against one another, with prejudice, which were asserted by the parties in this Action, with each party to bear its own costs and attorneys' fees. This Stipulation and Order of Dismissal shall not affect nor preclude the allegations, causes of action, suit, claims and counterclaims between Spirit Cruises, LLC and American Guarantee and Liability Insurance Company (a/s/o Chelsea Piers, L.P.) in the above referenced Action.

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November  
Dated: October 17, 2010

By: [Signature]  
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SO ORDERED:

[Signature] 11/22/10  
The Hon. Naomi Reice Buchwald Date

BC